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June 12, 2023

Via ECF

Hon. Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Yanping Wang, S1 1:23-cr-00118-AT
Request for Court Order for Access to a Government-Provided, Internet-Disabled Laptop Computer**

Dear Hon. Judge Torres:

Along with Lipman Law PLLC, we represent Defendant Yanping Wang in the above-referenced matter. On June 6, 2023, the Court granted the request of Mr. Ho Wan Kwok, one of the co-defendants, for access to a government-provided, internet-disabled laptop computer while detained at the Metropolitan Detention Center (“MDC”) in Brooklyn to review the voluminous and complex discovery in this case. (ECF No. 81). During the June 6, 2023, status conference, Your Honor orally indicated that the grant of Mr. Kwok’s request applies to Ms. Wang as well. With this letter, we respectfully request the Court to formalize its grant of laptop access for Ms. Wang, ensuring that she has the necessary tools to participate in her defense effectively.

As explained in Mr. Kwok’s letter-motion to the Court, dated June 5, 2023, (ECF No. 80), the MDC Legal Department maintains that limited access to a public desktop computer is sufficient for reviewing the discovery in this case. This position is not justifiable because the public computer is only available at certain times of the day, must be shared with Ms. Wang’s entire housing unit, and provides no privacy for reviewing confidential material.

In this case, the discovery is extensive, comprising at least six terabytes of data. It includes various document types such as PDFs, Excel files, emails, and videos. In addition, Ms. Wang requires the documents in English to be translated into Mandarin to comprehend and review them thoroughly. Given the size and complexity of the data, it is unreasonable to expect Ms. Wang to review this discovery on a shared public desktop computer that has limited availability, lacks privacy, and does not meet her extensive computer access needs. The public desktop computer is available on weekdays from 7:00 a.m. to 7:00 p.m. and during modified hours on weekends, which is insufficient for adequate review of the voluminous discovery.

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Furthermore, the discovery is subject to a protective order issued by Your Honor on May 4, 2023. (ECF No. 63). The protective order prohibits the disclosure of confidential discovery material to individuals other than Ms. Wang, her counsel, and those retained by her counsel for defense preparation. Providing Ms. Wang access to a public desktop computer compromises the required privacy for reviewing confidential materials, as her screen and sensitive information would be visible to everyone in the room.

The MDC has a policy of allowing access to a laptop only one month before trial in cases involving a large volume of 3500 material. However, this policy fails to address Ms. Wang's immediate need for a timely and proper review of the voluminous and complex material in this case. Requesting an internet-disabled laptop is a reasonable accommodation, and we are willing to collaborate with the government and the MDC to ensure that any laptop provided meets the required specifications.

In conclusion, we respectfully request the Court to grant Ms. Wang's request for access to a government-provided, internet-disabled laptop computer while detained at the MDC to review the voluminous and complex discovery in this case. As demonstrated above, Ms. Wang's need for laptop access is also critical for her to be able to assist in her defense, and she is in a similar position to Mr. Kwok. For these reasons, during the June 6, 2023, status conference, Your Honor orally indicated that the grant of Mr. Kwok's request applies to Ms. Wang as well. Therefore, we respectfully ask the Court to formalize its grant of laptop access for Ms. Wang, ensuring that she has the necessary tools to participate in her defense effectively.

Respectfully submitted,

/s/

Priya Chaudhry

SO ORDERED.

HON. ANALISA TORRES, U.S.D.J.

Cc: AUSA Juliana N. Murray
AUSA Micah Fergenson
AUSA Ryan Finkel